

December 17, 2002

U.S. Environmental Protection Agency, Region II
Emergency and Remedial Response Division
Diamond Alkali Superfund Site/Passaic River Study Area
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866

Attention: Ms. Janet Conetta
Strategic Integration Manager

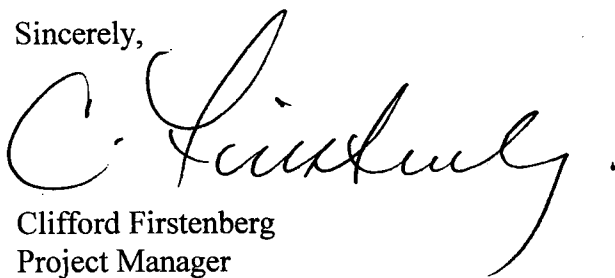
Subject: Monthly Progress Report No. 104
Passaic River Study Area

Dear Ms. Conetta:

Submitted herewith are two (2) copies of Monthly Progress Report No. 104 for work performed during November 2002 at the Passaic River Study Area. This progress report has been prepared pursuant to Section X, Paragraph 64 of the Administrative Order of Consent between U.S. Environmental Protection Agency and Occidental Chemical Corporation, Index No. II-CERCLA-0117.

If you have any questions, please contact me at (732) 246-5851.

Sincerely,



Clifford Firstenberg
Project Manager
On behalf of Occidental Chemical Corporation
(as successor to Diamond Shamrock Chemicals Company)

(2 copies sent)

Attachment

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Ms. Janet Conetta
Passaic River Study Area
December 17, 2002
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2c: Section Chief
NJDEP-Bureau of Federal Case Management
401 East State Street -CN 028
Trenton, NJ 08625-0028
Attn: Jonathan D. Berg

1c: Chief, New Jersey Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866
Attention: Diamond Alkali Site Attorney - Passaic River Study Area

MONTHLY PROGRESS REPORT NO. 104
PASSAIC RIVER STUDY AREA
WORK PERIOD: November 2002

A. Actions Taken Toward Achieving Compliance with the Order

1. Continued revision of the first interim deliverable of RAGS part D.
2. Continued to screen remedial technologies.
3. Continued development of the RI Report.
4. Coordinate with EPA staff on CSO WP/FSP and QAPP review.
 - Tierra submitted a letter to EPA on October 3, 2002 in response to EPA HWSB's comments received via e-mail on September 6, 2002. EPA forwarded comments from HWSB on November 13, 2002; Tierra responded on November 19, 2002 suggesting that these comments be discussed when a meeting is convened to address all other comments regarding the CSO WP/FSP and QAPP.
 - EPA forwarded comments from NJDEP on October 25, 2002; Tierra responded on October 30, 2002 requesting a meeting. No further activity this month on this topic.
 - Received clarification from EPA that comments submitted by PVSC to EPA, and copied to Tierra in October 2002, are not to be considered as EPA comments at this time.
5. Received letter from EPA on November 14, 2002 from Mr. George Pavlou, Director, ERRD, dated September 20, 2002, requesting that Tierra develop an Executive Summary of the data findings for the 6-mile Study Area and other areas sampled, and prepare to present a summary to EPA of the same information. Tierra has been working to develop the Executive Summary and the presentation, which is tentatively scheduled for January 13, 2003.

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PASSAIC RIVER STUDY AREA
WORK PERIOD: November 2002
(continued)

B. Actual or Potential Violations and Other Problems Encountered:

No actual or potential violations. The following problems have been encountered:

1. SED2DV45 does not appear to conserve mass (first reported in Monthly Progress Report No. 78, September 2000).
2. SED2DV45 test case model results differ between WES and Tierra (first reported in Monthly Progress Report No. 78, September 2000).
3. Lack of surface water data precludes assessing a number of receptors in the human health risk assessment and in developing an ecological risk assessment consistent with EPA guidance that considers the surface water pathway (first reported in Monthly Progress Report No. 78, September 2000).

C. Corrective Actions:

1. A number of tests to evaluate the lack of mass conservation in SED2DV45 have been conducted. Tierra submitted a letter to EPA and WES reporting on the results of additional testing (October 31, 2000).
2. A number of tests to determine the cause of differing model results between SED2DV45 run by WES versus SED2DV45 run by Tierra will be completed upon resolution of the lack of mass conservation.
3. Tierra submitted a letter describing the missing surface water data and a recommendation for mitigating the problem (October 19, 2000).

D. Validated Sampling or Testing Results Received or Generated During the Course of Implementing the Work:

1. None.

E. Future Plans, Actions and Data Scheduled for December 2002 and January 2003:

1. Pending resumption of modeling program, determine the cause of different model results for SED2DV45 run by WES versus SED2DV45 run by Tierra, and communicate to EPA and WES.
2. Pending resumption of the modeling program, resume implementation of the protocol for evaluation of the potential use of the STUDH-2000 (SED2DV45) beta model for the Passaic River Study Area, upon resolution of the two identified problems (lack of mass conservation and differing results between Tierra and WES versions of the model).

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3. Pending Tierra's request for a meeting with EPA (CLH letter dated February 16, 2001, prepared in response to EPA's letter dated January 30, 2001), continue work on the second human health risk assessment interim deliverable according to RAGS Part D.
4. Pending Tierra's request for a meeting with EPA (CLH letter dated February 16, 2001, prepared in response to EPA's letter dated January 30, 2001), continue work on the second ecological risk assessment interim deliverable according to ERAGS.
5. Continue collecting and assessing information on remedial technologies to evaluate need for treatability testing.
6. Mobilize for CSO field work pending EPA approval of WP/FSP and QAPP.
7. Continue development of RI Report.
8. Resume development of the Surface Water Sampling Plan.
9. Preparation for, and meeting with, Director, ERRD.

F. Work Completion Estimates:

1. The RIWP is 100% complete.
2. The FSWP is 100% complete.
3. The Graphic Data Representation is 100% complete.
4. The Model Test Case Report is 100% complete.
5. The Screening-Level HERA is 100% complete.
6. The Alternatives Array Document is 35% complete.
7. The Ecological Sampling Plan is 100% complete (i.e., original submittal to EPA).
8. The Calibration and Verification Status Report is 100% complete (i.e., original submittal to EPA)
9. Creel/Angler Survey Work Plan is 100% complete (i.e., original submittal to EPA)
10. Preparation of RI Report is 10% complete.

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G. Delays Encountered or Anticipated and Mitigation Actions:

1. Lack of mass conservation in SED2DV45 and the tests being performed to determine the cause may delay completion of the implementation of the protocol for evaluation of the potential use of the STUDH-2000 (SED2DV45) beta model for the Passaic River Study Area.
2. Differing model results between WES and Tierra when running standard model input using SED2DV45 and the tests being performed to determine the cause may delay completion of the evaluation of the potential use of the STUDH-2000 (SED2DV45) beta model for the Passaic River Study Area.
3. The lack of surface water data can be addressed through implementation of a surface water collection program. There is no plan or schedule for this activity pending EPA's response to Tierra's request submitted on October 19, 2000.
4. EPA's letter dated January 30, 2001 advised (i.e., "should") Tierra to "cease" sediment transport modeling, recommended that Tierra "suspend" risk assessment work, and advised (i.e., "should") that Tierra "suspend" treatability activities until further notice. Tierra requested in its response letter dated February 16, 2001, to meet with the Agency, either separately on each of these topics, or together on the three. EPA's directive has a direct impact on the project schedule, which is now in delay pending a meeting with the Agency and/or EPA's directive to resume these required activities.